TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

REGULAR MEETING

AGENDA

Town Commission Meeting Room

4501 Ocean Drive

Tuesday, March 24, 2009

7:00 P.M.

1. **CALL TO ORDER, MAYOR ROSEANN MINNET**

2. **PLEDGE OF ALLEGIANCE TO THE FLAG**

3. **INVOCATION**

4. **PRESENTATIONS**

   a. Proclamation recognizing April 26 thru May 2, 2009 as Crime Victim's Rights Week (Mayor Minnet)

   b. Presentation by Florida Fish and Wildlife Conservation Commission regarding turtle lights (Jean Higgins)

5. **REPORTS**

   a. Finance and Budget Monthly Report – February 2009 (Manager Colon)

   b. Development Services Monthly Report – February 2009 (Assistant Town Manager Olinzock)

   c. Municipal Services Monthly Report – February 2009 (Assistant Town Manager Olinzock)

   d. BSO Police Monthly Report – February 2009 (Chief Gooding)

   e. VFD Fire Monthly Report – February 2009 (Chief Perkins)

   f. AMR Fire Rescue Monthly Report – February 2009 (Operations Manager Liddle)

6. **PUBLIC SAFETY DISCUSSION**

7. TOWN MANAGER REPORT

a. Street Lights (Town Wide)
b. Street Lights (El Prado)
c. Police Services

8. APPROVAL OF MINUTES

a. February 24, 2009 Regular Meeting Minutes

b. February 25, 2009 Regular Meeting Minutes

9. PUBLIC COMMENTS

10. ORDINANCES

1. Ordinances 1st Reading - "Public Comments"

a. Ordinance 2009-18: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING SECTION 19-26 OF THE CODE OF ORDINANCES TO CREATE A BEACH PARKING PERMIT; PROVIDING FOR SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

2. Ordinances 2nd Reading – "PUBLIC HEARING"

a. Ordinance 2009-06 for 2nd Reading: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, CREATING SECTION 17-16 OF THE CODE OF ORDINANCES TO PROVIDE A DEFINITION OF SWALES, TO IMPOSE THE REPONSIBILITY FOR MAINTAINING SWALES ON THE ADJOINING PROPERTY OWNER OR OWNERS, AND TO REGLUATE THE ITEMS THAT MAY BE PLACED OR PLANTED IN SWALE AREAS; PROVIDING FOR SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE (Tabled on 1st reading at the January 27, 2008 Commission meeting by Commissioner Dodd) Approved 1st reading at the February 24, 2009 Commission meeting

b. Ordinance 2009-08 for 2nd Reading: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY- THE- SEA, FLORIDA, AMENDING SECTION 19-21 OF THE CODE OF ORDINANCES TO AMEND THE VESSEL PARKING AND STORAGE REGULATIONS FOR THOSE PROPERTIES THAT WERE ANNEXED INTO THE TOWN IN 2001, FOR SO LONG AS OWNERSHIP OF SAID PROPERTIES DOES NOT CHANGE; PROVIDING FOR SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE (Approved 1st reading at the January 27, 2009 Commission meeting as amended) Amended and Approved 1st reading at the February 24, 2009 Commission meeting

c. **Ordinance 2009-17 for 2nd Reading:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, CREATING SECTION 5-62 OF THE CODE OF ORDINANCES AND AMENDING SECTION 19-21 OF THE CODE OF ORDINANCES TO PROHIBIT THE USE OF TARPS OR OTHER NON-CUSTOM FIT BOAT COVERS IN THE COVERING OF BOATS; PROVIDING FOR SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE Approved 1st reading at the February 24, 2009 Commission meeting

11. COMMISSIONER COMMENTS

12. CONSENT AGENDA

a. Commission approval of the Broward County Supervisor of Elections agreement for November 3, 2009 (Clerk White) Tabled at the March 10, 2009 Commission Meeting by Vice Mayor McIntee

b. Royal Palm Tree Replacement on Commercial Blvd (227 Commercial Blvd) – waiving of Right-of-Way permit fees (Assistant Town Manager Olinzock)

c. Commission approval of Special Event application for the Commercial Boulevard Pavilion Ribbon Cutting Ceremony, a Town Sponsored Event, Monday, April 6, 2009, 5:00 PM till 9:00 PM – Commission approval of concept on March 10, 2009 – Cost $1,000 (Assistant Town Manager Olinzock)

d. Commission approval of Special Event application for "Cruisin with Aruba/Village Pump" Thursday, April 30, 2009, 2:30 PM to 11:00 PM (Assistant Town Manager Olinzock)

e. Commission approval of Hold Harmless and Indemnification agreement for 223 Bombay Avenue (Assistant Town Manager Olinzock)

f. Commission approval for replacement trees at 4521 N. Seagrape Drive to be Canary Island Date Palms in the amount of $11,763.60 in lieu of the Royal Palms previously approved by Town Commission in the amount of $480.00 (Assistant Town Manager Olinzock)

g. Commission approval for placement of new AT&T fiber optic cabinet and to waive right-of-way permit fees - 2100 SE 15th St. (Assistant Town Manager Olinzock)

h. Commission approval to Transfer Procat 26" Boat and Trailer from BSO Police to VFD Fire (Manager Colon)

i. Commission approval to distribute funds to El Mar Design Winners - $1,000 (Manager Colon)

j. Commission approval of $500 for Title search for determination of ownership of pier sign (Manager Colon)

13. RESOLUTION – "Public Comments"

a. **Resolution 2009-12:** A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA AMENDING RESOLUTION 2009-05 ESTABLISHING FEES FOR PARKING IN METERED PARKING SPACES; TO ALLOW FOR BEACH PARKING; EFFECTIVE APRIL 1, 2009

14. QUASI JUDICIAL PUBLIC HEARINGS

15. OLD BUSINESS

a. Commission direction to Town Attorney regarding Rental Ordinances revision (Manager Colon)

b. Discussion and/or action regarding RFP 09-02-01, Waste Haulers (Manager Colon)

16. NEW BUSINESS

a. Discussion and/or action concerning current placement of Public Comments in the agenda and the order of the speakers – requested by Liliana Pomareda (Commissioner Dodd)

b. Discussion and/or action concerning permit fees charged to the Chamber of Commerce over the Taste of the Beach or other events (Commissioner Dodd)

c. Discussion and/or action to increase police beach patrols (Commissioner Silverstone)

d. Discussion and/or action to hold a Town meeting with an independent facilitator with the objective to work out Commissioner issues with Town staff and each other. The goal is to further increase the efficiency of Town government (Commissioner Silverstone)

e. Noise Ordinance: Music is very loud and neighbors are complaining. Should we be having weekend long event with music all afternoon and evening? (Commissioner Clottey)

17. TOWN ATTORNEY REPORT

18. ADJOURNMENT

19. FUTURE AGENDA ITEMS

April 14, 2009 - Town sign at Commercial Blvd and A1A

April 14, 2009 – RFP 09-02-01 Waste Haulers Award

April 14, 2009 – First Reading of Proposed Ordinance amending Chapter 30 by Town Commission

April 14, 1009 – Banners

April 14, 1009 – Pavilion Clock

April 28, 2009 - Ordinance 2009-07 for 1st Reading: Hedge Height, Plantings and Fences

May 12, 2009 - Second Reading of Proposed Ordinance Amending Chapter 30

May 13, 2009 - Commission Workshop - 7:00 PM – Fire, Height & Capital Expenditure

November 24, 2009 - Environmental Sustainability Committee

THE TOWN OF LAUDERDALE-BY-THE-SEA WILL FURNISH APPROPRIATE AUXILIARY AIDS AND SERVICES NECESSARY TO AFFORD INDIVIDUALS AN EQUAL OPPORTUNITY TO PARTICIPATE IN MEETINGS OF THE TOWN COMMISSION. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND FLORIDA STATUTE 286.26, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE TOWN CLERK NO LATER THAN TWO (2) DAYS PRIOR TO THE MEETING AT (954) 776-0576 FOR ASSISTANCE.

IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE TOWN COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, HE/SHE WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSES MAY NEED TO INSURE THAT A VERBATIM RECORDING OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.